

GOS contracts

10 June 2008

The Department of Health, PCC and the optical representative bodies have received a significant number of enquiries in relation to the introduction of the new contracts. A common theme running through the enquiries from the representative bodies' members is that some PCTs are using either the wrong paperwork for existing contractors, or are seeking to insert extra clauses and seeking unnecessary information during the transitional period.

The following advice is intended to clarify areas where there may have been confusion to help simplify processes where possible and our observations below, have been agreed with the Department of Health and the optical representative bodies.

Concerns centre around 5 main areas:

- All the forms for the transitional period have been designed in consultation with the NHS and representative bodies to contain what is required by regulations and to seek the information relevant to that. Please do not insert additional questions or requirements, or use the transitional arrangements as a general information gathering exercise.
- Letters sent to contractors and those on the supplementary list should not be used to insert new requirements. This will only confuse everyone. Those currently on a supplementary list are entitled to an automatic transfer to the performers list and this entitlement should not be made conditional, for example by requiring the signing of a new declaration. DH view is that by accepting the transfer the practitioner is accepting all relevant undertakings.
- For practitioners currently on the supplementary list or the contractors list, CRB checks are not a requirement and should not be allowed to delay the process (unless there is genuine new cause for concern).
- As the regulations make clear, contractors are not required, themselves, to carry professional insurance, but they must ensure that those carrying out GOS

sight tests for them are covered. Most practitioners are likely to have professional insurance provided by the AOP, FODO, MDU or similar schemes

- PCTs should not seek artificially to truncate the agreed timescale, which is laid down in regulations for the transitional period.

Additionally we recommend to PCTs:

- The Local Optical Committee (LOC) should be consulted about the process of transition although this should not delay the process. (All parties have to work within the timetable laid down by regulations). The LOC will be willing to help.
- Where a contractor or performer is uncertain about how to proceed, then it would be helpful if PCTs encouraged them to consult their representative body.
- If PCTs are concerned about any of the forms etc they should raise their concern with PCC and not act unilaterally.